

UNITED STATES DISTRICT COURT

DISTRICTS OF GUAM AND THE NMI

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October 22, 2020

Honorable Michael J. Bordallo
U.S. Magistrate Judge
The District Court of Guam
3rd Floor, U.S. Courthouse
520 West Soledad Avenue
Hagatna, Guam 96910

**RE: SANTOS, Ricky James Jr. Salas
USDC# CR20-00021-001
2nd Third Party Custodian and
Location Monitoring Assessment**

Dear Judge Bordallo,

On August 27, 2020, a Complaint was filed in District Court of Guam case number MJ20-00092. The Complaint charged the defendant, Ricky James Jr. Salas Santos, with Count 1: Attempted Possession of Methamphetamine with Intent to Distribute, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii). On August 27, 2020, the defendant appeared in custody before Your Honor for an Initial Appearance on a Complaint Hearing. Assistant Federal Public Defender (AFPD) Briana Kottke was appointed to represent the defendant, and a Detention Hearing was set for September 1, 2020. The defendant was remanded to the custody of the U.S. Marshals Service. On September 1, 2020, the defendant appeared in custody before Your Honor for a Detention Hearing. Defense Counsel motioned to withdraw the detention hearing and reserved her right to file at a later time. The motion was granted by the Court, and the defendant's detention was continued.

On September 9, 2020, the Federal Grand Jury returned a True Bill in District Court of Guam case number CR20-00021-001. The Indictment charged the defendant with Count 1: Attempted Possession with Intent to Distribute Methamphetamine Hydrochloride, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(A)(viii); Count 2: Possession with Intent to Distribute Methamphetamine Hydrochloride, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii); and a Notice of Forfeiture, pursuant to 21 U.S.C.

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§ 853. On September 10, 2020, the defendant appeared in custody before Your Honor for an Initial Appearance on an Indictment and Arraignment Hearing. The defendant entered a not guilty plea to the charges, and Jury Trial was set for November 17, 2020. The defendant's detention was continued.

On October 1, 2020, Defense Counsel submitted a Third-Party Custodian (TPC) application to the U.S. Probation Office. On October 2, 2020, this Officer initiated an investigation on proposed TPC Deborah Ann Mendiola Salas (herein referred to as Deborah). Deborah was not approved for TPC.

On October 13, 2020, Defense Counsel submitted a second TPC application to the U.S. Probation Office. On October 14, 2020, this Officer initiated an investigation.

The proposed TPC is Elias Sablan Salas, Jr. (herein referred to as Elias), now age 48. Elias is the defendant's maternal uncle. For the past 15 years, Elias has been employed with the Department of Public Works, as a school bus driver. Since school is not in session, Elias is tasked with busing individuals from the Antonio B. Won Pat International Airport to the designated COVID-19 quarantine sites. His work schedule is seven days a week from 3:30 p.m. to midnight. Elias stated he is willing to perform all the duties and obligations of a TPC.

The proposed TPC residence is located in Dededo, Guam, and is owned by Elias' mother-in-law, Lutilda Machie. Ms. Machie does not reside at this residence, but is residing at another residence located in Dededo, Guam. The home is a one-story concrete structure that has three bedrooms and two bathrooms. Elias has been residing at the residence since 1989. The home is equipped with a telephone line that is serviced by Docomo Pacific. Elias reported he is willing to install a GTA telephone line to meet the requirements of the Location Monitoring Program (LMP). Elias also reported the defendant's family will be paying for the LMP if it is a condition imposed by the Court. The defendant further reported he does not own any firearms and there are no firearms at this residence.

The proposed TPC residence is occupied by Elias; Elias' wife, Michelle A. D. Salas, age 48; Elias' son, Javin M. D. Salas, age 29; and Elias' brother-in-law, Michael A. Duenas, age 55. Mrs. Salas is employed with the Department of Education and is working at F.B. Leon Guerrero Middle School as a school aide. Mrs. Salas' work schedule is from Monday through Friday from 7:30 a.m. to 3:00 p.m. Javin is employed with Landscape Management Systems as a landscaper. Javin's work schedule is from Monday through Saturday from 7:00 a.m. to 5:00 p.m. Javin is currently assigned with working on Andersen Air Force Base, Guam. Mr. Duenas is unemployed.

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A criminal records check was conducted on Elias, which revealed the following: an arrest for Criminal Trespass on November 1, 1993, which was not prosecuted on December 2, 1993; an arrest for Drag Racing without a Permit on July 6, 1996, which prosecution was declined; an Outstanding Warrant of Arrest for Traffic Citation 1C00623473 on April 19, 2000; an arrest for Assault/Family Violence on July 21, 2001, which prosecution was declined on November 17, 2003; and an arrest for Assault/Disorderly Conduct on November 25, 2006, which was prosecuted in Superior Court of Guam case number CM892-07. Elias was convicted in that case for Disorderly Conduct, as a Petty Misdemeanor, where he was sentenced to one-year probation.

A criminal records check was conducted on Mrs. Salas, Javin, and Mr. Duenas, which revealed no criminal record.

Based on the information above, Elias and the proposed residence are suitable for TPC. Elias appears to be committed with fulfilling these obligations. LMP is not recommended as a release condition.

Respectfully,

KIM R. WALMSLEY
Chief U.S. Probation Officer

By:



/s/ JEFFREY A. VENTURA
U.S. Probation Officer

Reviewed By:



/s/ GRACE D. FLORES
Deputy Chief U.S. Probation Officer